

Independent claim 1 of the present application recites a method in which a queue manager receives a first enqueue or dequeue request, with respect to a queue, and a second enqueue or dequeue request, with respect to the *same* queue. Claim 1 also recites that processing of the second request commences *prior* to completing the first request.

In the present Office action, the Examiner asserts, based on two separate arguments (pages 2-3 and 13-14), that the Calvignac patent discloses on col. 6, lines 18-22, the subject matter of present claim 1. In the following paragraphs, applicant addresses each of those arguments and explains why the claim rejections should be withdrawn.

The Calvignac patent discloses the following at col. 6, lines 18-22:

Frame Control Blocks (FCBs) queued in Target Blade Queues (TBQs) 215 may be scheduled to be dequeued from TBQs 215 by TBQ scheduler 228 and loaded into Port Control Block (PCB) 230. TBQ scheduler 228 may be configured to dequeue the next FCB from TBQs 215 and enqueue that FCB into PCB 230.

1) The Office action alleges (pages 2-3) that TBQ 215 of the Calvignac patent corresponds to the queue as recited in present claim 1. The Office action also asserts that (a) dequeuing "the next FCB from TBQ 215" corresponds to the claimed *first* enqueue or dequeue request and (b) enqueueing "that FCB into PCB 230" corresponds to the claimed *second* enqueue or dequeue request. This is incorrect. Claim 1 recites that each enqueue or dequeue request is received with respect to the *same* queue. In contrast, the enqueue and dequeue requests cited by the Office action are with respect to two completely separate and distinct queues, *i.e.*, TBQ 215 and PCB 230.

Furthermore, the Office action asserts that enqueueing an FCB commences *prior* to or at the same time as the completion of dequeuing the FCB. In particular, the Office action alleges that since the scheduler 228 may be configured to dequeue an FCB and enqueue the same FCB that "enqueueing can occur in conjunction and before the commencement of dequeuing" (page 3, lines 4-5 of Office action). This is also incorrect. Even if TBQ 215 and PCB 230 somehow correspond to the same queue, which the applicant disputes, there is no disclosure or suggestion

that the process of enqueueing the FCB commences at the same time or prior to completing the process of dequeuing the FCB. Indeed, there is no disclosure or suggestion, at all, in the Calvignac patent with regard to the timing of the enqueue and dequeue requests. Simply because the scheduler 228 could be configured to perform both enqueue and dequeue requests does not suggest or imply, in any way, that one request is commenced before another request is completed.

2) Present claim 1 also is rejected based on an alternative application of the Calvignac patent to the claimed subject matter (Response to the Arguments section of the present Office action). In particular, the Office action alleges (pages 13-14) that since the FCB is "queued in the TBQ 215 and then dequeued from the TBQ 215, that the enqueue and dequeue requests are with respect to the same queue." This interpretation, however, is also incorrect. Even if the FCBs are enqueue and dequeued with respect to the same queue, the requests for enqueueing and dequeuing are not handled by the same queue manager as recited in present claim 1. Specifically, the Calvignac patent explains that (col. 6, lines 13-17):

scheduler 130 may be configured to transmit FCBs...to TBQ enqueue logic 227
configured to enqueue the received FCBs in TBQs 215.

Thus, the process of enqueueing FCBs into TBQ 215 is conducted by **TBQ enqueue logic 227**. In contrast, the process of dequeuing FCBs from TBQ 215 is conducted by **TBQ scheduler 228** (col. 6, lines 20-21). Therefore, both the enqueue and dequeue requests with respect to the TBQ 215 are received by different queue managers.

Even if the enqueue and dequeue requests were received by the same queue manager, which the applicant disputes, the Calvignac patent does not disclose or suggest, in any way, that the process of enqueueing the FCB into TBQ 215 commences at the same time or prior to completing the process of dequeuing the FCB from TBQ 215. Moreover, the Calvignac patent does not disclose or suggest any information regarding the timing of the enqueue and dequeue requests.

The Wilford et al. patent discloses a linecard architecture for high speed routing of data in a communications device but does not disclose or suggest the features missing from the Calvignac et al. patent.

At least for the foregoing reasons, claim 1 should be allowed.

Independent claims 9, 15 and 21 recites features similar to those recited in claim 1 and should be allowed for at least the same reasons as claim 1.

Claims 2-8, 10-14, 16-20 and 22-28 depend from claims 1, 9, 15 and 21 and should be allowed for at least the same reasons.

It is believed all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Applicant : Gilbert Wolrich et al.
Serial No. : 10/024,657
Filed : December 18, 2001
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Attorney's Docket No.: 10559-613001 / P12852
Assignee: Intel Corporation

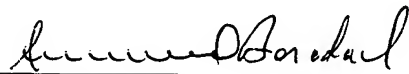
Conclusion

In view of the above remarks, all remaining claims are allowable and a notice of allowance should be issued.

No fee is believed due. However, please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 5/11/06



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